

**UNITED STATES DISTRICT COURT**  
 for the  
**Eastern District of New York**

<u>Suffolk County Water Authority</u>	)	
<i>Plaintiff</i>	)	
v.	)	Civil Action No. 2:17-cv-06980
<u>The Dow Chemical Company, et al. (see Rider)</u>	)	
<i>Defendant, Third-party plaintiff</i>	)	
v.	)	
<u>120Marcus Realty LLC, et al. (see Rider)</u>	)	
<i>Third-party defendant</i>	)	

**SUMMONS ON A THIRD-PARTY COMPLAINT**

To: *(Third-party defendant's name and address)* 120Marcus Realty LLC  
 120 Marcus Blvd.  
 Deer Park, NY 11729

(and additional names and addresses in Rider)

A lawsuit has been filed against defendant (Defendant List in Rider), who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Suffolk County Water Authority.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in **Fed. R. Civ. P. 12** (a)(2) or (3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Phillips Lytle LLP c/o Joel Blanchet, Attorneys for Defendant/Third-Party Plaintiff The Dow Chemical Company  
 One Canalside, 125 Main Street  
 Buffalo, NY 14203, and (see Rider)

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Sher Edling LLP c/o Matthew K. Edling, Attorneys for Plaintiff Suffolk County Water Authority  
 100 Montgomery St., Suite 1410, San Francisco, CA 94104, and (see Rider)

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: 9/1/2021



*CLERK OF COURT*

Douglas C. Palmer by: Roseann Guzzi

*Signature of Clerk or Deputy Clerk*

Civil Action No. 2:17-cv-06980

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*This summons for *(name of individual and title, if any)* \_\_\_\_\_was received by me on *(date)* \_\_\_\_\_. I personally served the summons on the individual at *(place)* \_\_\_\_\_on *(date)* \_\_\_\_\_; or I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_

, a person of suitable age and discretion who resides there,

on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or I served the summons on *(name of individual)* \_\_\_\_\_, who isdesignated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_on *(date)* \_\_\_\_\_; or I returned the summons unexecuted because \_\_\_\_\_; or Other *(specify)*: \_\_\_\_\_My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature**Printed name and title**Server's address*

Additional information regarding attempted service, etc:

**SUMMONS RIDER**

**CAPTION:**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SUFFOLK COUNTY WATER AUTHORITY,

Plaintiff,

v.

THE DOW CHEMICAL COMPANY, FERRO CORPORATION, VULCAN MATERIALS COMPANY, PROCTER & GAMBLE COMPANY, SHELL OIL COMPANY, individually and doing business as SHELL CHEMICAL LP,

Defendants.

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Case No.: 2:17-cv-06980-NG-RLM

THE DOW CHEMICAL COMPANY, FERRO CORPORATION, and VULCAN MATERIALS COMPANY,

Third-Party Plaintiffs,

v.

120MARCUS REALTY LLC, 5 CUBA HILL OWNER LLC, 550 LIBERTY PLAZA LLC, AIRPORT PLAZA, LLC, ANTHONY ANTONIOU, ANWAR CHITAYAT AS TRUSTEE OF THE ANWAR CHITAYAT ENVIRONMENTAL TRUST, CRESCENT GROUP REALTY INC., EMPIRE PROPERTIES LI LLC, FED 717-725 LLC, FGG REALTY ASSOCIATES, LLC, GSM 717-725 LLC, ICA 717-725 LLC, MAKO PROPERTIES, LLC, OMEGA MELVILLE LLC, ONE ADAMS OWNER LLC, SAF 717-725 LLC, STEEL FOREST, LLC, THE SUFFOLK COUNTY LANDBANK CORPORATION, TOWN OF BABYLON, and TOWN OF ISLIP,

Third-Party Defendants.

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**THIRD-PARTY DEFENDANTS' NAMES AND ADDRESSES (CONTINUED):**

5 Cuba Hill Owner LLC  
1250 Waters Place, PH1  
Bronx, NY 10461,

550 Liberty Plaza LLC  
45 Cuttermill Rd, Ste 1  
Great Neck, NY 11021,

Airport Plaza, LLC  
28 Liberty St.  
New York, NY 10005,

Anthony Antoniou  
25 Berry St.  
Lindenhurst, NY 11757,

Anwar Chitayat as Trustee of the Anwar Chitayat Environmental Trust  
5927 Vintage Oaks Circle  
Delray Beach, FL 33484,

Crescent Group Realty Inc.  
71 N 1st St.  
Deer Park, NY 11729,

Empire Properties LI LLC  
95 Lane St.  
Lindenhurst, NY 11757,

FED 717-725 LLC  
45 Broadway, 25th Floor  
New York, NY 10006,

FGG Realty Associates, LLC  
82 Milbar Blvd.  
Farmingdale, NY 11735,

GSM 717-725 LLC  
45 Broadway, 25th Floor,  
New York, NY 10006,

ICA 717-725 LLC  
45 Broadway, 25th Floor  
New York, NY 10006,

Mako Properties, LLC  
931B Conklin St.  
Farmingdale, NY 11735,

Omega Melville LLC  
PO Box 500  
Hicksville, NY 11802,

One Adams Owner LLC  
6851 Jericho Turnpike, Ste 200  
Syosset, NY 11791,

SAF 717-725 LLC  
45 Broadway, 25th Floor  
New York, NY 10006,

Steel Forest, LLC  
999 S Oyster Bay Rd, Ste 200,  
Bethpage, NY 11714,

The Suffolk County Landbank Corporation  
PO Box 6100, 100 Veterans Memorial Hwy  
Hauppauge, NY 11788,

Town of Babylon  
Babylon Town Hall,  
200 E Sunrise Highway  
Lindenhurst, NY 11757, and

Town of Islip  
655 Main St.  
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